

**CHAPTER NO. 726**

**SENATE BILL NO. 3235**

**By Burchett**

**Substituted for: House Bill No. 3344**

**By Armstrong, Tindell**

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 14, Part 3, relative to certain leisure swimming pools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 14, Part 3, is amended by adding the following as a new, appropriately designated section thereto:

(a) As used in this section, "leisure pool" means a single area swimming pool of at least fifteen thousand (15,000) square feet in total surface area situated on at least three (3) acres of property, excluding the size of the area occupied by the leisure pool itself, which is used for corporate or group functions or events, and which offers at least one of the following group recreational activities on the premises:

- (1) Sand volleyball or badminton;
- (2) Basketball;
- (3) In-line skating;
- (4) Outdoor musical or theatrical performances; or
- (5) Outdoor cinema screenings.

(b) Notwithstanding any law or regulation to the contrary, a member based leisure pool shall be classified as a Type B swimming pool as defined by the rules and regulations of the Department of Health. A leisure pool shall meet the following operational requirements:

(1) A leisure pool is authorized to operate until 10:30 p.m. on Monday, Tuesday or Wednesday nights, and until 11:00 p.m. on Thursday, Friday, Saturday or Sunday nights.

(2) A leisure pool is authorized to allow any function or event held on the premises of the leisure pool up to seventy-five (75) decibels or less in noise level measured from the property line of the premises on which the leisure pool is located.

(c) All other laws or rules not in conflict with subsection (b) that are applicable to public swimming pools shall be applicable to leisure pools.

SECTION 2. The provisions of this act shall only apply in counties having a population, according to the 2000 federal census or any subsequent federal census of:

not less than:

nor more than:

382,000

382,100


897,400

897,500

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 6, 2004**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 19<sup>th</sup> day of May 2004**

  
PHIL BREDESEN, GOVERNOR